

Meeting summary for OHCA Assisted living member call (06/26/2024)

Quick recap

The team discussed workload management, updates, and the critical access process in assisted living, with a focus on Medicaid qualifications and provider responsibilities. They also addressed issues related to CPR training, licensure, and the Department of Labor's overtime rule, as well as concerns about the revalidation process for Medicaid provider agreements. Additionally, they reviewed pending legislations in Ohio that could impact assisted living providers, including the 'Never Alone' act and Senate Bill 144.

Next steps

- Mandy will provide updates on the licensing rules for assisted living facilities and the deadline for submitting the necessary information.
- Debbie will monitor the outcome of the lawsuit challenging the Department of Labor's overtime rule and update the team.
- Mandy will work with the Department of Aging to provide more information on the Never Alone Act and its potential impact on assisted living providers.

Summary

Workload Management and Monthly Call Preparation

pete, Mandy, and Debbie convened for an afternoon discussion with the focus on workload management and updates. Mandy had reached out to a previously contacted individual, and pete acknowledged receiving fewer tasks due to this follow-up. The team also discussed the upcoming monthly member call, with Mandy providing instructions for participation via Zoom and phone. pete indicated that he had several updates to provide, but delayed sharing to ensure all members were present.

Assisted Living Critical Access Process Discussed

pete discussed the critical access process in assisted living, focusing on the qualification for the critical access rate. He explained that the rate is determined by the percentage of Medicaid census, which is the total census of an assisted living facility divided by the number of Medicaid beneficiaries. The benchmark for qualifying is 50%, and the data for this is collected annually to ensure eligibility for the entire fiscal year. He clarified that unless a provider is newly certified, they must meet the eligibility criteria for the current fiscal year to qualify for the next.

Aging Tool for Provider Data Submission

pete discussed the use of a tool provided by Aging for providers in the system to attest to the truth of their submitted information and to facilitate projections, especially for new providers. He emphasized that providers must submit their Medicaid residents data quarterly, including their Medicaid ID numbers, and explained that this data can be provided through another system if the tool is too tedious. He reminded the team that the submission deadline was already past, but was going over the information anyway. He also mentioned a code related to the Youtube modifier.

Resident Coding and Licensure Updates

pete emphasized the importance of accurately coding residents in assisted living facilities based on their specific needs. He highlighted that residents should be billed for the appropriate level of care, with critical access and memory care being separate categories. pete also noted that the licensure rules for residential care facilities were still pending and expected to be finalized by mid-July. Mandy added that a request for real and present danger citations and updates to the crosswalk for tags and licensure was planned for an upcoming in-person provider meeting in early July. Debbie was then invited to speak by pete.

CPR Training, Overtime Rule, Medicaid Process

Mandy highlighted the ongoing issue of CPR training and licensure in assisted living facilities, noting that while there's no specific requirement for direct care staff, licensed nurses may need to be trained and competent in CPR. She urged caution until the Ohio Board of Nursing and ODH Legal provide clarification. Mandy also shared information about an on-demand MEPAP course for activity professionals, offering a discount for OHCA members. Debbie then discussed the Department of Labor's overtime rule, set to take effect in two steps, with the first increase on July 1st. She mentioned ongoing legal challenges and the possibility of a preliminary injunction. Lastly, pete mentioned an upcoming Medicaid process related to revalidations, applicable only to waiver providers.

Addressing Medicaid Provider Agreement Revalidation Issues

pete addressed concerns raised by assisted living waiver providers about the revalidation process for their Medicaid provider agreements. He highlighted the importance of staying informed about revalidation dates and the potential consequences of missed revalidations, such as termination from the program. pete also offered assistance to help providers stay on top of their revalidation schedules and reapply after being terminated due to non-revalidation. He emphasized the need for further information to understand who is most affected by these issues.

Ohio Legislative Updates for Assisted Living

pete discussed the status of two pending legislations in Ohio that could impact assisted living providers. The 'Never Alone' act, which originally aimed to enhance visitation during pandemic-like situations, has expanded its scope and proposes creating a new category of individuals called 'advocates' with significant rights to be with residents.

Despite passing unanimously in the House, the bill has not progressed in the Senate due to legislative time constraints. Additionally, Senate Bill 144 aims to simplify the process for individuals to become medication aids, expand their scope of medication administration, and change the term 'SDN' to 'CNA'. However, the Senate initially disagreed with the House's amendments, and the outcome was uncertain due to the large number of bills being considered. Another bill, Senate Bill 28, with similar but less extensive medication aid provisions, applicable only to assisted living, was to be clarified by the end of the following day.

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